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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Joseph VALLONE
AKA: Joseph Huynh

Defendant,

Magistrate Case No. **08 MJ 01 40** ^{POC}

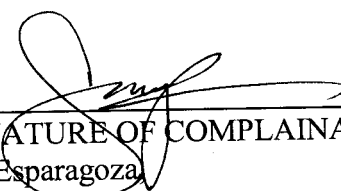
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii) -
Bringing in Illegal Alien
Without Presentation

The undersigned complainant being duly sworn states:

On or about **January 16, 2008**, at the San Ysidro Port of Entry, within the Southern District of California, defendant **Joseph VALLONE AKA: Joseph Huynh**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that alien, namely, **Nancy GUZMAN-Meza** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza
Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF
JANUARY 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Nancy GUZMAN-Meza** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 16, 2008, at approximately 0505 hours, **Joseph VALLONE aka: Joseph Huynh (Defendant)** made application for admission into the United States from Mexico at the San Ysidro Port of Entry vehicle entrance lane. Defendant was the sole visible occupant and driver of a white Dodge Ram truck. Defendant approached a U.S. Customs and Border Protection (CBP) officer, stated his boss owned the vehicle and handed the officer a counterfeit vehicle registration form. Defendant also told the officer he was not bringing anything from Mexico. During a vehicle inspection, the officer noticed the rear seat was higher than factory constructed and called for assistance. Officers escorted Defendant to the security office and the vehicle was driven to secondary for further inspection.

In secondary, CBP officers lifted up the rear bench seat by turning a lever that kept the seat locked in place and discovered two undocumented aliens concealed in the non-factory compartment. CBP officers extracted two females who were determined to be citizens of Mexico without entitlements to enter the United States. One of the females is now identified as **Nancy GUZMAN-Meza (Material Witness)**.

During a videotaped proceeding Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. During a subsequent interview Defendant admitted knowledge that two undocumented aliens were concealed in the vehicle. Defendant admitted he was to receive \$700.00 U.S. dollars as compensation for smuggling the undocumented aliens. Defendant admitted he was to transport the undocumented aliens to the Target department store parking lot located in Chula Vista, California.

A videotaped interview was conducted with Material Witness. Material Witness stated that she is a citizen of Mexico and that she has no documents to lawfully enter the United States. Material Witness stated that her husband made arrangements with an unknown smuggler in Mexico and was to pay \$3,500.00 U.S. dollars to have her smuggled into the United States. Material Witness stated she intended to travel to Los Angeles, California to seek employment.